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Letter dated 11 February 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone (see annex), which covers the Committee's activities during the period 1 January to 31 December 2008. The report is submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) **Le Luong Minh**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

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Annex

Report of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1132 (1997) of 8 October 1997 concerning Sierra Leone covers the period from 1 January to 31 December 2008.

2. For 2008, the Bureau consisted of Le Luong Minh (Viet Nam) as Chairman, with the delegations of the Libyan Arab Jamahiriya and Panama providing the Vice-Chairpersons. During the reporting period, the Committee held one session of informal consultations.

II. Background information and summary of the work of the Committee

A. Background information

3. By its resolution 1132 (1997), the Security Council, determining that the situation in Sierra Leone, following the military coup of 25 May 1997, constituted a threat to international peace and security in the region, imposed a mandatory ban on the sale or supply by States to Sierra Leone of arms and related materiel as well as petroleum and petroleum products. By the same resolution, the Council also imposed travel restrictions on members of the military junta and adult members of their families, and decided to establish a Committee to oversee the implementation of the measures.

4. Subsequently, by its resolution 1156 (1998) of 15 March 1998, the Council lifted the oil embargo. By its resolution 1171 (1998) of 5 June 1998, the Council confirmed the removal of sanctions on the Government and reimposed the arms embargo on non-governmental forces, as well as the travel ban on leading members of the Revolutionary United Front (RUF) and of the former military junta. The Council also decided that States would notify all exports from their territories of arms or related materiel to Sierra Leone to the Committee established by resolution 1132 (1997), that the Government of Sierra Leone would mark, register and notify to the Committee all imports made by it of those items, and that the Committee would report regularly to the Council on notifications so received.

5. In its resolution 1306 (2000) of 5 July 2000, the Council decided, inter alia, that all States should, for an initial period of 18 months, prohibit the direct or indirect import of rough diamonds from Sierra Leone to their territory. In the same resolution, the Council also decided that diamonds controlled by the Government of Sierra Leone through the certificate of origin regime would be exempt from those measures. The prohibitions on diamonds not controlled by the certificate of origin regime were extended for additional periods of 11 months and 6 months, respectively, by resolutions 1385 (2001) of 19 December 2001 and 1446 (2002) of 4 December 2002.

6. On 5 June 2003, the President of the Security Council read out a statement to the press in which he noted, inter alia, that in the light of the increased efforts of the Government of Sierra Leone to control and manage its diamond industry and ensure proper control over diamond-mining areas, as well as the Government's full participation in the Kimberley Process, the members of the Council had agreed not to renew the prohibition against the import of rough diamonds from Sierra Leone not controlled by the certificate of origin regime.

7. With the expiration of the diamond sanctions, the mandate of the Committee is once again wholly contained in resolution 1171 (1998). The arms embargo on non-governmental forces and the travel restrictions imposed by that resolution remain in force.[1]

B. Summary of the activities of the Committee

8. In a letter dated 7 January 2008, the Chairman informed the Registrar of the Special Court for Sierra Leone of the adoption by the Security Council of resolution 1793 (2007) on 21 December 2007, whereby the Council, inter alia, decided to exempt from the travel restrictions imposed by paragraph 5 of resolution 1171 (1998) the travel of any witnesses whose presence at trial before the Special Court for Sierra Leone is required. In the same letter, the Chairman referred to a letter addressed to him from the Registrar of the Special Court for Sierra Leone, dated 31 December 2007, in which the Registrar sought a waiver of the travel restrictions to allow for a listed individual to travel to the Netherlands to appear as a witness in the trail of former Liberian President Charles Taylor. In this connection, the Chairman explained that in the light of resolution 1793 (2007), advance approval by the Committee was not required in the specific case referred to in the Registrar's letter of 31 December 2007; however, the Chairman informed the Registrar that the Committee had taken note of the relevant travel details provided. In the same letter, the Chairman, on behalf of the Committee, sought the agreement of the Special Court for Sierra Leone on notification procedures for the travel of listed individuals pursuant to paragraph 8 of resolution 1793 (2007), which would be modelled upon the notification procedures agreed between the Special Court for Sierra Leone and the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia in connection with the similar exemptions to the travel ban concerning Liberia, as set out in Security Council resolution 1688 (2006).

9. In a reply to the Chairman dated 15 January 2008, the Registrar of the Special Court for Sierra Leone confirmed to the Committee the notification procedures to be followed in connection with the travel of any individuals included on the Committee's travel ban list whose presence at trial before the Special Court is required.

10. In a letter dated 1 May 2008, the Permanent Representative of Sierra Leone wrote to the Chairman with recommendations for the revision of the Committee's travel ban list in the light of overall security, judicial, political and other developments in Sierra Leone. In the same letter, the Government of Sierra Leone suggested that, in reviewing the notification provision for arms exports to Sierra Leone set out in paragraph 4 of resolution 1171 (1998), the Committee might wish

[1] The latest version of the travel ban list is available from the Committee's website at: http://www.un.org/sc/committees/1132/tblist.shtml.

to take into consideration, inter alia, the following: the Economic Community of West African States Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, which Sierra Leone had ratified; the adoption by the General Assembly of the International Instrument to Enable States to Identify and Trace in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons; and the United Nations Register of Conventional Arms, to which Sierra Leone has been contributing.

11. On 30 May 2008, the Committee held informal consultations to consider the letter dated 1 May 2008 from the Permanent Representative of Sierra Leone to the United Nations.

12. Subsequently, on 9 June 2008, the Committee decided to remove (de-list) the names of the following individuals from the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998): Sergeant George Adams, Reverend David Bangura, Mr. Kandeh S. Bangura, Mr. Kandeh Sorie-Sebba Bangura, Sergeant K. Bangura, Corporal Momoh Bangura, Lance Corporal Hector Bob-Lahai, Lieutenant Eldred Collins, Warrant Officer II Franklyn Conteh, Staff Sergeant Moses Kabia, Sergeant K. Kallay, Mr. David G. Kallon, Mr. Mohamed Saidu Kamara, Warrant Officer II Samuel Kargbo, Mr. Bai Hinga Kurrary-Bangura, Colonel Michael S. Lamin, Captain A.Y.K. Mansaray, Colonel Gibril Massaquoi, Mr. Abdulai Michael Munu, Lance Corporal Abdul M. Sesay, Lance Corporal Ibrahim D. Sesay, Captain Paul Thomas, Sergeant Sulaiman Turay and Captain Lawrence S. Womandia.

13. On 25 June 2008, the Chairman wrote to the Permanent Representative of Sierra Leone to the United Nations informing him of the Committee's decision to remove the names of 24 individuals from the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998). In the same letter, and in connection with the Government of Sierra Leone's suggestion regarding the review of the notification requirements for the delivery of arms or related materiel to Sierra Leone set out in paragraph 4 of resolution 1171 (1998), the Chairman informed the Permanent Representative of Sierra Leone that the members were of the view that decisions on the future of the arms embargo fall within the purview of the Security Council, and that the Committee had therefore decided to convey the Permanent Representative's letter to the President of the Security Council, drawing particular attention to the suggestions related to the notification requirements set out in resolution 1171 (1998). The Chairman conveyed the 1 May 2008 letter from the Permanent Representative of Sierra Leone to the United Nations to the President of the Security Council on 25 June 2008, for the attention and appropriate action of the Council.

C. Violations and alleged violations of the sanctions regime

14. During the reporting period, no violations or alleged violations of the sanctions regime were brought to the attention of the Committee.

III. Observations

15. In 2008, the Committee removed the names of 24 individuals from the list of individuals affected by the travel restrictions imposed by paragraph 5 of resolution 1171 (1998). This leaves six individuals remaining on the list, the former leader of

the Armed Forces Revolutionary Council junta and five others who have been indicted by the Special Court for Sierra Leone. The de-listing of 24 individuals was made possible in part by the improved security situation in Sierra Leone. As noted in the sixth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone (S/2008/281), the Government of Sierra Leone continued to make commendable efforts to implement its agenda for peace consolidation and economic recovery. The same report states that: "The security situation in the country has continued to improve, owing to the increased capacity of the security sector. The commitment of the leaders of the Mano River Union countries to a peaceful resolution of the issues confronting them has also contributed to the prevailing stability in Sierra Leone and the subregion." In the light of these developments, and the suggestion by the Government of Sierra Leone regarding the review of the notification requirements for the delivery of arms or related materiel to Sierra Leone set out in paragraph 4 of resolution 1171 (1998), the Chairman encourages members of the Committee and the Security Council to continue consultations to determine the appropriate time to streamline the legal basis for sanctions in Sierra Leone.